

# HOSPICE & PALLIATIVE CARE

## ASSOCIATION OF MICHIGAN

### TESTIMONY PRESENTED TO THE MICHIGAN SENATE JUDICIARY COMMITTEE

May 7, 2013

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The Hospice and Palliative Care Association of Michigan, the trade association representing hospice and palliative care providers, has been interested in issues related to guardians and DNR status of wards for some time. Our Membership, who care for the most frail and fragile of Michigan's population, have raised concerns regarding how to best care for a ward when it is determined that aggressive, curative care is no longer warranted and yet DNR orders are unable to be obtained either because the Probate Judge refuses to hear the case or it is mired in red tape and is not heard in a timely fashion to minimize pain and suffering of the ward.

The Association supports the broader public policy issues addressed in this legislative package as it provides for clarification and coordination of other pieces of current Michigan law that have been unclear and often misinterpreted and holds accountable those guardians who may find opportunity to profit from their role rather than truly look out for the best interest of the individuals whose lives have been entrusted to their care and decision making.

We support that this legislation is specifically addressing the use of CPR for resuscitation and NOT other forms of life sustaining treatment that might be implemented prior to the terminal event. We feel strongly that without recommended safeguards related to clarification of a terminal condition of the ward and validation of that condition by more than one physician, that the State may find misuse of this authority more prevalent than not. We do not want this legislation to encourage guardians to "write off" wards in their care who may not be appropriate for a DNR order based on medical assessment.

This dialogue is the first of many the Association hopes come before Michigan legislators in the coming years. We appreciate the efforts of Rep. Cotter and the other bill co-sponsors for supporting this patient centered philosophy of care for all Michigan residents.